

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Rejection of claims 1-3, 9, and 11 under 35 U.S.C. § 102(b)

Claims 1-3, 9, and 11 presently stand rejected as anticipated by either of Amr (U.S. 6,045,327) or Lin et al (U.S. 6,406,258). This rejection is respectfully traversed for the following reasons.

Claims 1 and 11 have been amended to more clearly describe the present invention. Claims 1 and 11 recite, generally, a frame having an inlet and an outlet. A plurality of radially projected fluid control elements are provided on a peripheral wall of the frame, and a fan is supported in the frame. The fluid control elements are arranged and configured so that a fluid flowing out from the outlet flows radially inward.

It is respectfully submitted that neither Amr nor Lin disclose or suggest all of the limitations of claim 1, because neither Amr nor Lin disclose or suggest an airflow directing structure wherein a plurality of radially projected fluid control elements are provided arranged and configured so that a fluid flowing out from the outlet flows radially inward.

"A claim is anticipated *only if each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." (emphasis added) Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The *identical invention* must be shown in as complete detail as is contained in the ... claim." (emphasis added) Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Neither Amr nor Lin disclose or suggest an axial airflow, wherein air expelled from an outlet the housing or frame of the fan assembly is directed inward to a space behind the fan hub.

The Amr patent does not discuss any radial direction of airflow from the outlet of the fan structure. Therefore, Amr can't be said to disclose or suggest an airflow directing structure wherein a plurality of radially projected fluid control elements are provided arranged and configured so that a fluid flowing out from the outlet flows radially inward. Moreover, Applicant contends, based on the following analysis, that the airflow from the fan disclosed in Amr is radially outward and away from, but not inward and towards, the space behind the fan hub.

In the Amr fan structure, stator vanes extend axially downward from the housing, forming a shorter distance between the fan and the outlet from the stator vanes at the outer ends of the stator vanes, and a longer distance between the fan and the outlet from the stator vanes at the inner ends of the stator vanes, near the stator hub. Therefore, when a fluid passes through the fan and towards the outlet of the stator vanes, fluid closer to the outer ends of the stator vanes passes through the vanes earlier than fluid closer to the hub. This results in a relatively lower pressure near the outer ends of the vanes, and a relatively higher pressure near the hub. Consequently, because of a higher fluid pressure near the hub surrounded by a lower pressure at the outer ends of the vanes, the fluid will tend to flow outwardly and away from the hub, and not inwardly behind the hub.

Lin discloses only an arrangement of "teeth" or "clearances" (between the teeth) provided "so as to increase the side airflow *into* the fan." (Lin, col. 1, lines 26, 27). It is respectfully submitted that such a structure relating to airflow *into* the fan fails to teach or suggest an airflow directing structure wherein a plurality of radially projected fluid control elements are provided arranged and configured so that a fluid flowing *out from the outlet* flows radially inward. Lin does not disclose or suggest any structure for directing a fluid flowing out from an outlet of the fan in a radially inward direction, wherein the airflow is directed behind a hub of the fan. In fact, Lin discloses no structure whatsoever for directing fluid flow outward from the fan.

It is respectfully submitted that, for at least these reasons, neither Amr nor Lin anticipate claim 1 or claim 11 of the present application because neither Amr nor Lin disclose or suggest all of the required elements. Therefore, it is respectfully submitted that claims 1 and 11 are allowable over the cited references. Additionally, because claims 2, 3,

and 9 depend from claim 1, claims 2, 3, and 9 are also allowable over the cited references. Withdrawal of the rejection is respectfully requested.

Rejection of claim 7 under 35 U.S.C. § 103(a)

Claim 7 presently stands rejected as being unpatentable over Lin in view of “design choice”. This rejection is respectfully traversed for the following reasons.

Claim 7 depends from claim 1. As discussed above, neither Lin nor Amr disclose or suggest each and every element recited in claim 1. It is respectfully submitted that “design choice” fails to supplement the deficiencies of Lin (and Amr) discussed above and that, therefore, Lin in view of “design choice” fails to support the rejection of claim 7. Therefore, it is respectfully submitted that claim 7 is allowable over the cited references, and the withdrawal of this rejection is requested.

Conclusion

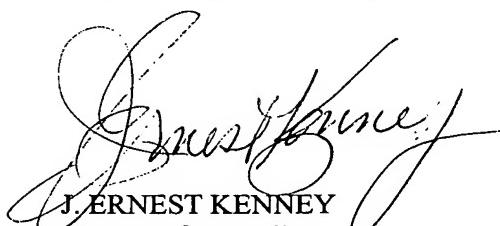
In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 1-3, 7, 9, and 11 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

BACON & THOMAS, PLLC
625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314-1176
Phone: (703) 683-0500

Date: October 5, 2005

Respectfully submitted,


J. ERNEST KENNEY
Attorney for Applicant
Registration No. 19,179